COMMISSION REGULATION (EC) No 599/2003

of 1 April 2003

amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Council Regulation (EEC) No 2092/91 [1] of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs, as last amended by Commission Regulation (EC) No 223/2003 [2], and in particular the second indent of Article 13 thereof,

Whereas:

(1) Preservation of animal-health and welfare must be based first and foremost upon prevention, thanks to measures such as the appropriate selection of breeds and strains and appropriate balanced diets.

(2) Regulation (EEC) No 2092/91 imposes precise feeding constraints. In particular, the supply of essential substances, such as vitamins, should be covered by natural inputs.

(3) Harmonised rules for the organic livestock production are quite recent and breeders still may encounter difficulties in obtaining animals with the capacity to adapt to local conditions and/or to adequate management systems and in providing their animals with all the essential elements they need for harmonious growth, in particular with regard to certain liposoluble vitamins in the case of ruminants.

(4) A derogation is therefore needed to authorise under specific conditions, exceptionally and only for a transitional period, the use of vitamins A, D and E.

(5) That authorisation shall be accompanied by an obligation on the Member States to inform the Commission thereof.

(6) The Committee, provided for in Article 14 of Regulation (EEC) No 2092/91, has not delivered an opinion within the time limit set by its chairman. According to the fourth paragraph of Article 14 of Regulation (EEC) No 2092/91, the Commission has transmitted the proposal to the Council. Since the Council has not taken a position within the three-month time limit provided for in the fifth paragraph of Article 14 of the same Regulation (EEC) No 2092/91, the proposed measures are to be adopted by the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2092/91 is amended as follows:

(a) Annex I Part B is amended in accordance with point 1 of the Annex to this Regulation;

(b) Annex II Parts C and D are amended in accordance with point 2 of the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 1 April 2003.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 198, 22.7.1991, p. 1.
[2] OJ L 31, 6.2.2003, p. 3.